G R S App F IX 4]

Previous References

1942 -

(ML)

File No 118 42

Serial Nos 13, 15

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Nov 42

SUBJECT

Petitions of Messrs A T Abdul Satter and Ibrahim Sahib ex-Shamsy contractors of Alm Hilly

To,

The D C Hassan

L 5064 dt 20 11 42

Directs that the arrears due may be recovered from the partners

ML 12/12 42

General and Revenue Secretariat | M/L File No | of 1912 | [App F III—2

Serial No

Letter no ML c 966/42 d 16 9-42 from the Depty Comrs Hassan dtd, requesting, in the circumstances stated, Sanction to the recovery of the principal amounts only due from Messrs Ibrahim Sab and Ibrahim Abdul Sattar to whom the right of Collecting market fees in the Shar municipal Shandy was leased out in the years 1926-27 and 27-28 (Ib Rahim Sab) 1930-31 (Abdul Sattar)

1) These Cases relate to the years 1926-27 and 27-28 and 1930-31 The records enclosed with the report of the Dy Comrs Hassan dtd, reveal the following facts

2) Mr Ibrahim Sab had purchased the right of Collecting the municipal Shandy fees at Shar during the years 1926-27 and 27-8 It is not clear from the records for what amount and on what conditions the right in question was sold to the party The Contractor failed to pay Rs 164-12-0 towards the Kists due from him The Municipal Council felt aggrieved

NOTE—Contn Sheet

WD 04155—GPB—55 000—23 10 41

Serial No

in the years 1932-33 and obtained a decree for the arrears due to them. Similarly another contractor by name Abdul Sattar, another contractor to whom the right of collecting Shandy fees at the place was leased out during the year 1930-31 also failed to pay arrears of Kist amounting to Rs 25-6/- and the M.L. obtained a decree for the amount.

3) In the year 1937 the Municipal resolved, on the representations of the parties concerned, that if the parties paid the arrears due by them their cases may be compromised. But no action appears to have been taken on this resolution of the Municipal Council.

4) Subsequently when overtures were taken for the recovery of the dues the parties petitioned to the Govt for certain concessions in the payment of their arrears. The M.L. who were consulted in the matter have resolved that a sum of Rs 60/- out of accrued interest in the case

Flag M *

Flags N & O

petitioners of Messrs A T Abdul Sattar and Ibrahim Sab Ed-Shandy Contractors of Akola Distt

1793/L

(2)

Serial No

of Mr Abdul Sattar and 40 in the other case would be remitted if the parties pay up the entire amount due by them

5) The D C Hassan West had, however recommended that the principal amounts in both the cases may be recovered as a special case, the accrued interest and Court Cost being remitted

6) The arrears due from the parties are as follows

	Principal	Accrued interest	Court Cost	Total
Ibrahim Sab	166-12-0,	129-11-0,	67-0-0,	361-7-0
Abdul Sattar	256/-,	203-0-0,	68-0-0,	527-0

If the parties had paid away the the amount due by them at least in the year 1937 the N L Bl were prepared to get into a compromise As they did not do so the parties were made responsible for the payment of interest and court cost

7) The recommendation of the by Court to waive the recovery of the interest and the Court cost due from the parties as submitted for orders

NOTE—Cont Sheet

Form 2710 G 2

WD 04155—GPB—55 000—23-10 41

8) The interest as well as the Court cost are due to the Municipal Council The Municipal

Petitions of A. S. Brahmans of Mohd Station

File No 1793/2 of 194

General and Revenue Secretariat

Serial No

have not agreed to waive the entire interest & the Court costs as recommended Unless the Petl agree, it is for consideration of Govt maybe remitted in the manner proposed

From the records it is clear that the claims are very old - some are as 16 years old and the more than ten years. The contractors should indeed be reluctant people who would not discharge their liability unless recourse was had to Law If at all they have to blame themselves for the delay in adjusting the legitimate claims of the Petl The merits of the case do not justify the grant of any more concessions than those agreed to by the Petl already

Law Secy

6/11/42

SECY LAW DEPT 4 SEP 1942 GOVT OF MYSORE

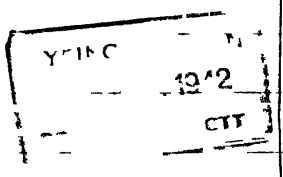
9) The Resolution of the Municipal Council dated 31-7-42 that Rs 607 — in the case of Mr Abdul Sattar & Rs 400 — in the case of Sheikh Saib — due to widows would be remitted must be given effect to — The

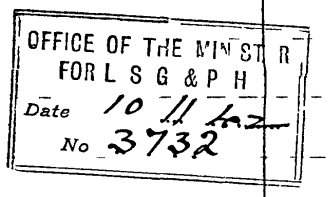
Petitions of Abdul Ibrahim & Ibrahim Sabagh Abass, Shawish contractors

(3)

General and Revenue Secretariat — Jul File No 108 of 1942 / 1793/L [App F III-2

Serial No





Municipal council Haifa cannot & give up the balance.

Mins Rel L S G — Circ 10-11-42

10) The parties are evidently premature in their request to pay their dues as per the resolution of the Town Council 1942. — H C — 16 11 62 — Circ 16-11-42

11) Dft please — 16/11/42

12) Submitted with a draft letter to the D C Haifa Dist — 17/11/42

13) Done — 18/11/42

To D C Haifa Dist — No L S 0644 d 20-11-42 directs that the arrears may be recovered in accordance with the resolutions passed on 31/7/42 by the Haifa Municipal Council.

B 3/11

NOTE—Cont Sheet

WD 041 5—GPB—5 000—23 10 41

File No of 194

General and Revenue Secretariat

Serial No

17931/L

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 16th Septr. 1942

No. Ml C 966/42 Excepte

Rul 108-42-13

From

N S. Hirannayya, Esq., M A.,
Deputy Commissioner, Hassan District

To

C Narayanaswamy Naidu, Esq., B.A., B L.,
Secretary to Government, Law Department, Bangalore

Sir,

Petitions of Messrs A J Abdul Sattar and Ibrahim Sab Ex-shandy contractors of Alur Municipality in the matter of compromising the civil suits filed against them

---

I have the honour to state that Messrs A J Abdul Sattar and Ibrahim Sab presented petitions to this office on 13-8-1942 stating that they had taken up the lease of right collect market fees in the Shandy at Alur during 1930-31 (Abdul Sattar) and 1926-27 and 27-28 (Ibrahim Sab) that in view of the loss sustained by them they were unable to pay the balance of khist amounts for which civil suits were filed by the Municipal Council during 1933-34 and 1932-33 respectively and the decrees were obtained in the Munsiff's Court On their representation to the Municipal Council praying for the compromise of the civil suits by recovering from them only the principal amount, the Municipal council resolved at their meeting held on 30-1-1937 that in both these cases, if the parties were to pay the principal in one instalment, the case would be compromised and the fact also intimated to the court

The President of the Municipal Council from whom a report was called for has stated that the Council have subsequently resolved on 31-7-1942 that a sum of Rs 60/- out of accrued interest in the case of Mr Abdul Sattar and Rs 40/- in the other would be remitted if the parties were to pay the entire amounts due and that it is not possible for him to say at this distance of time as to why the original resolution of 30-1-1937 was not given effect to

The arrears due from the parties are as follows -

		Principal	Accrued Interest	Court cost	Total
Abdul Sattar	30-31	256/-	203/-	68-12-0	527-12-0
Ibrahim Sab and	26-27 27-28	164-12-0	129-11-0	67- 0-0	361- 7-0

The Sub Division Officer has reported that it is not known

why the original resol tion was not given effect to till now and has recommended that as it would cause great hardship to the petitioners if the recovery of the entire amounts are enforced, only the principal amounts due from both the parties be recovered The petitioners cannot be made responsible for the payment of the interest and the court cost as they would have saved the additional liability if the resolution of the Municipal Council was given effect to as soon as it was passed on 30-1-1937.

Now that the petitioners have come forward to pay the principal amounts in both the cases and in view of the Sub Division Officer's recommendation, I request that sanction of Government may kindly be obtained to the recovery of the principal amounts only as a special cases, the accrued interest and court cost being remitted

The conrected records received with from the Sub Division Officer are herewith enclosed for favour of perusal and retransmission when no lorger required

I have the honour to be,
Sir,
Your most obedient servant,

16/7

Deputy Commissioner,
Hassan District

I S D

Appendix F G —1]

SUBJECT

Section Rev

File No 108-42

Serial No 15

Diary No of letter replied to

No L 50664

records

To

General and Revenue Secretariat

( )

the *194*

The D C Hassan Esq.

Sir

Date of issue 20 11 42

With reference to your letter no ML C 966/42 d 16 9-42 requesting Sanction to Show certain Concessions in the recovery of the balance of Shandy Khas amounts due from Messrs Ibrahim Sab and Abdul Sattar to the Alur Municipal Council, I am directed to State that the arrears due may by the parties ~~Should~~ be recovered ~~as per~~ in accordance with the resolutions passed on 21/7 1942 by Alur Munn of the Municipal Council ~~passed on~~ ~~31-7-1942~~ in the matter

The records accompany

I have Etc

for

Jr Secy to Govt

Law Dept

Signed by Mr GR Rao

List of enclosures

Flags A and B

Copied by

Examined by

passed on 21/7

WD 04161—(PB—60 000—24 10 41